

Agreed Compromises – blocks of issues

**Reflecting the discussions at the 6/7 Shadow meeting
(previous tracked changes accepted, new changes tracked)**

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According to decisions by the IMCO Coordinators:

- **split votes are allowed on CAs,¹ and**
- **AMs covered by a CA fall if the CA is adopted, but any Group wishing a compatible part of another AM to be voted as an addition to a CA must indicate that early on, and specify the part wished to be voted as an addition. Such requests can only be made by the Group Coordinator, Rapporteur/Shadow or Group advisor (not individual Members).²**

¹ **Coordinators decision 20/06/12**

² **Coordinators decision 20/03/13**

1.

a) Conditions for authorisation

Replacing all relevant amendments, including 508-514, 516, 517, 519, 520, 522, 523, 525, 527-529, 531-533 (see also 29/6 template VL)

Article 5(1)

Without prejudice to Article 3, Member States shall **permit** the acquisition and possession of firearms only by persons who have good cause and who:

- (a) are at least 18 years of age, except in relation to the **acquisition, other than through purchase, and** possession of firearms for hunting and target shooting, provided that in that case persons of less than 18 years of age have parental permission, or are under parental guidance or the guidance of an adult with a valid firearms or hunting licence, or are within a licenced or otherwise approved training centre, **and such adult accepts responsibility for storage pursuant to Article 5a; and**
- (b) are not likely to be a danger to themselves **or others**, to public order or to public safety; having been convicted of a violent intentional crime shall be considered as indicative of such danger.

AGREED IN PRINCIPLE (Rapporteur, EPP, S&D, ALDE, GUE/NGL, Greens/EFA, EFDD).

Accompanying recital

Replacing all relevant amendments, including 17, 189

The acquisition and possession of firearms should only be permitted if, inter alia, there is good cause. Member States should have the option of stipulating that the acquisition and possession of firearms for the purpose, for example, of hunting, target shooting, use by associations which cultivate customs and traditions and by cultural and historical bodies, the conduct of various scientific and technical activities, testing procedures and the re-enactment of historical events, filmmaking or historical study constitutes good cause.

b) Medical Tests

Replacing all relevant amendments, including 547-567 (see also 29/6 template VL)

Article 5(2)

Member States shall ***establish a monitoring system, including the assessment of relevant medical and psychological information according to national legislation which may be on a continuous or non-continuous basis, for the acquisition and possession of firearms***, and shall withdraw authorisations if any of the conditions on the basis of which ***the acquisition or possession was allowed are*** no longer met.

AGREED IN PRINCIPLE (Rapporteur, EPP, S&D ~~(TBC)~~, ALDE, GUE/NGL, Greens/EFA, EFDD)

Accompanying recital

Replacing all relevant amendments, including 7, 107, 109, 121, 249

Member States should ensure that an effective system is implemented for monitoring possession of firearms. That system, which could be continuous or non-continuous, should be based on an assessment of relevant medical and psychological information upon the issuance or renewal of an authorisation or on an effective alternative system of continuous monitoring taking into account the risks concerned, and any relevant indications, for example from medical personnel, indicating that the conditions for allowing possession may no longer be met.

c) Authorisation Renewal Period

Replacing all relevant amendments, including 654-669 (see also 29/6 template VL)

Article 7(2), second subparagraph

The maximum *duration of an authorisation* shall not exceed five years, *unless Member States have implemented a system of continuous monitoring referred to in the first subparagraph of Article 5(2)*. The authorisation may be renewed if the conditions on the basis of which it was granted are still fulfilled."

AGREED ~~IN PRINCIPLE~~ (Rapporteur, EPP, S&D, ALDE, GUE/NGL, Greens/EFA, EFDD).

d) Safe Storage

Replacing all relevant amendments, including 534-546, 573, 699 (see also 29/6 template VL)

Article 5a (new)

Member States shall establish rules on the proper supervision of firearms and ammunition and rules on their proper storage in a secure way to minimise the risk of being accessed by an unauthorised person. When stored, firearms and ammunition for them shall not be readily accessible together. Supervision in this case shall mean that the person possessing the firearm or the ammunition has control over them during transport and use. The level of scrutiny for the storage arrangements shall correspond to the category of the firearm.

Accompanying Recital

*Firearms and ammunition should be stored in a secure manner when not immediately supervised. Criteria for storage **and safe transport** should be defined by national rules, taking into account the number and nature of the firearms concerned.*

AGREED ~~IN-PRINCIPLE~~ (Rapporteur, EPP, ALDE; S&D, GUE/NGL, Greens/EFA, EFDD)

2.

Marking

Replacing all relevant amendments, including 419, 412, 439-440, 442-445, 447-472, 474-480 (see also 29/6 template VL)

Article 4(1)

Member States shall ensure that any **assembled** firearm or **separately sold essential component** placed on the market has been marked and registered in compliance with this Directive, **or that it has been deactivated in accordance with the provisions implementing Article 10b and registered in compliance with this Directive. Where an essential component is too small to be marked in compliance with this Directive, it shall be marked at least with a serial number, alphanumeric or digital code.**

Accompanying recital

Replacing all relevant amendments, including 203-212, 235-240, 242-246, 289-294-, 296-299

In order to increase the traceability of firearms and essential components and to facilitate their free movement, an assembled firearm and all separately sold essential components should be marked irremovably at the time of their being manufactured or without delay after their import. The traceability requirements shall not apply to firearms which have been deactivated in accordance with this Directive.

Article 4(2)

For the purposes of identifying and tracing each assembled firearm **and each separately sold essential component**, Member States shall either at the time of manufacture of each firearm **and each essential component intended for sale separately**, or **without delay after imported into** the Union, require a **clear, permanent and** unique marking, including the name of the manufacturer, the country or place of manufacture, the serial number and the year of manufacture, if not already part of the serial number. This shall be without prejudice to the affixing of the manufacturer's trademark **and shall not apply to firearms or essential components either considered as antiques under national law or destined for persons authorised pursuant to the second subparagraph of Article 6, provided they bear original markings permitting full traceability. Where an essential component is too small to be practicably marked with all of this information, it shall be marked at least with a serial number, alphanumeric or digital code. This requirement shall not apply to firearms or separately sold essential components manufactured before the entry into force of this Directive.**

Accompanying recital

Replacing all relevant amendments, including 203-212, 235-240, 242-246, 289-294-, 296-299

To avoid that markings are easily erased and to clarify on which components the marking should be affixed, common Union rules on marking should be introduced. These rules should apply only to firearms and essential components that are placed on the market as from the date by which Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the main provisions of this Directive.

In the case of an assembled firearm the marking shall be affixed to the receiver or the frame of the firearm.

Member States shall ensure that each elementary package of complete ammunition is marked so as to provide the name of the manufacturer, the identification batch (lot) number, the calibre and the type of ammunition. For those purposes, Member States may choose to apply the provisions of the United Nations Convention for the Reciprocal Recognition of Proof Marks on Small Arms of 1 July 1969.

Furthermore, Member States shall ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, the unique marking permitting identification of the transferring government. ***Firearms classified in Category A must first have been deactivated in accordance with the provisions implementing Article 10b or permanently converted to semi-automatic firearms in accordance with the provisions implementing Article 10ba (new), save in the case of transfers to persons granted authorisations pursuant to the first or the second subparagraph of Article 6.***

AGREED ~~IN PRINCIPLE~~ (Rapporteur, EPP, S&D, ALDE, GUE/NGL, Greens/EFA, EFDD).

3.

Brokers

Replacing all relevant amendments, including 330-333, 379-392, 394-396, 400, 401, 494, 496-504 (see also 29/6 template VL)

Article 1(1e)

For the purposes of this Directive, "broker" shall mean any natural or legal person, **his agents and representatives**, other than a dealer, whose trade or business consists wholly or partly in buying, selling, **lending, leasing** or arranging the transfer within a Member State, from one Member State to another Member State or exporting to a third country **or importing into a Member State from a third country** fully assembled firearms, their essential components and ammunition.

Accompanying recital

Replacing all relevant amendments, including 15, 179, 180

Since brokers provide services similar to those of dealers, they should also be covered by this Directive, and should be subject to the same obligations as dealers in all relevant respects.

Dealers

Article 1(2)

For the purposes of this Directive, "dealer" shall mean any natural or legal person whose trade or business consists wholly or partly in any of the following:

- (i) the manufacture, **including modification, other than alterations for private use not leading to a change of categorisation, or conversion**, trade, exchange, hiring out **or repair**, of firearms;
- (ii) the manufacture, **including modification, other than alterations for private use not leading to a change of categorisation, or conversion**, trade, exchange, hiring out **or repair**, of **essential components** of firearms;
- (iii) the manufacture, **other than hand-loading or reloading of ammunition for private use including modification, other than alterations for private use not leading to a change of category**, or conversion, **trade or exchange** of ammunition.

Accompanying recital

Replacing all relevant amendments, including 110-2, 124-6, 133-4, 138

It should be specified in this Directive that the activities of a dealer include not only the manufacturing but also the significant modification or conversion of a firearm, such as the shortening of a complete firearm, leading to a change in its category or subcategory and in addition the significant modification or conversion of essential components of firearms and

of ammunition, and that, therefore, only authorised dealers should be permitted to engage in those activities. Hand-loading and reloading of ammunition from ammunition components for private use should not be considered a significant modification.

Article 10

The arrangements for the acquisition *of ammunition* and possession of ammunition *containing a single projectile* shall be the same as those for the firearms for which the ammunition is intended. ***The acquisition of ammunition shall be permitted only for persons who are allowed to possess a firearm of the respective category, or persons authorised pursuant to the second subparagraph of Article 6."***

Brokers and dealers may refuse any transaction for the acquisition of complete rounds of ammunition, or components of ammunition, which they reasonably consider suspicious owing to its nature or scale, and shall report it or any attempted such transaction to the relevant authorities. Brokers and dealers shall not be permitted to complete a transaction for the acquisition of a firearm where they cannot verify the identity of the purchaser in the data-filing system established according to Article 4(4) and payment is to be made solely in cash.

Accompanying recital

Replacing all relevant amendments, including 131-2, 250, 276

As is the case with respect to the system of reporting suspicious transactions under Regulation (EU) No 98/2013 of the European Parliament and of the Council, a transaction for the acquisition of complete rounds of ammunition or live primer components of ammunition, should be considered suspicious if, for example, it involves quantities uncommon for the envisaged private use, or if the buyer appears unfamiliar with the use of the ammunition or is unwilling to provide proof of his/her identity. Where it is not possible for a dealer or broker to verify the identity of the purchase any payment solely in cash for the acquisition of firearms should be prohibited.

AGREED ~~IN PRINCIPLE~~ (Rapporteur, EPP, S&D, ALDE, Greens/EFA, EFDD).

4.

Distance sales

Replacing all relevant amendments, including 625-627, 629-639, 649, 650 (see also 29/6 template VL)

*Member States shall ensure that in case of the acquisition and selling of firearms and their essential components and the ammunition covered by categories A, B, C and D set out in Annex I by means of distance communication, as defined in Article 2 of Directive 2011/83/EC of the European Parliament and of the Council(**), the identity, and where required, the authorisation of the person acquiring the firearm or the essential components thereof or ammunition is checked prior to or at the latest upon delivery thereof to that person, by:*

- *an authorised dealer or broker; or*
- *a public authority or a representative thereof.*

AGREED (Rapporteur, EPP, S&D, ALDE, Greens/EFA, EFDD).

Accompanying recital

Replacing all relevant amendments, including 21, 251-270, 273

Marketing of firearms, parts and ammunition by means of the internet or other means of distance communication, for example by way of online auction catalogues or classified advertisements, and the arranging of a sale or other transaction by means of, for example, telephone or email should, where allowed under national law, be possible provided that the verification of identity and of the right to engage in such a transaction can be completed. It is therefore appropriate to ensure that the conditions for purchasing firearms, essential components and ammunition by means of distance communication, notably internet, by legal or natural persons other than dealers and brokers allow ~~a face-to-face~~ verification at the time of delivery of at least the identity of the recipients and their right to acquire a firearm by the dealer or broker or by a public authority representative.

5. **Definition of Essential Components**

Replacing all relevant amendments, including 308-326 (see also 29/6 template VL)

AGREED (Rapporteur, EPP, S&D, ALDE, Greens/EFA, EFDD):

For the purposes of this Directive, "essential component" means the barrel, frame, the receiver, including both upper and lower receivers, where appropriate, slide, cylinder, bolt or breech block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

6.

Blank firing arms (salute/acoustic/alarm/signal/replica)

Replacing all relevant amendments, including 346-348, 351-353, 358-364, 685, 686, 803-805, 808-815, 817, 818, 829-837 (see also 29/6 template VL)

Article 1(1f)

For the purposes of this Directive, "alarm and signal weapons" shall mean devices with a cartridge holder designed to **only** fire blanks, irritants, other active substances or pyrotechnic **round and which are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant.**

Article 1(1g)

For the purposes of this Directive, "salute and acoustic weapons" means firearms specifically converted to the sole use of firing blanks, for use such as in theatre performances, photographic sessions, film and television recordings, historical re-enactments, parades, sporting events and training.

Article 1(1h)

~~For the purposes of this Directive, "replica firearms" shall mean objects that have the physical appearance of a firearm, but are manufactured in such a way that they cannot be converted to firing a shot or expelling a bullet or projectile by the action of a combustible propellant.~~

Article 10a

Member States shall take measures to ensure that alarm and signal weapons cannot be converted into firearms.

The Commission shall , **by ... [insert date]**, adopt ***implementing-delegated acts*** establishing technical specifications for alarm and signal weapons ***as well as for salute and acoustic weapons*** to ensure they cannot be converted into firearms.

Accompanying recital

Replacing all relevant amendments, including 22, 277-286

Furthermore, to avoid the risk of alarm weapons and other types of blank firing weapons being manufactured in a way that enables them to be converted into real firearms, technical specifications should be adopted in order to ensure that they cannot be converted into firearms.

Annex I - Part II - Category A, point 8

Any firearm under points 1 to 3 and 6 to 7 after having been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.

Annex I - Part II - Category B, point 10

Any firearm under points 1 to 9 after having been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.

Annex I - Part II - Category C, point 5

Any firearm under points 1 to 4 after having been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.

Annex I - Part II - Category D

Single-shot long firearms with smooth-bore barrels, **including after having been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.**

Annex I - Part III

For the purposes of this Annex objects which correspond to the definition of a 'firearm' shall not be included in that definition if they:

...

(b) are designed for **alarm, signalling**, life-saving, animal slaughter or harpoon fishing or for industrial or technical purposes, **or to only be capable of expelling a shot, bullet or projectile by the action of compressed air or other gas not generated by the action of a combusted propellant, or are designed as airsoft devices or airgun devices of any description from which only a small missile with limited energy can be discharged**, provided that they can be used for the stated purpose only **and are not capable of being converted in such a way as to render them capable of expelling a shot, bullet or projectile by the action of a combusted propellant;**

AGREED IN PRINCIPLE (Rapporteur, EPP, S&D, ALDE, GUE/NGL, Greens/EFA, EFDD).

7.

Data filing records and information exchange

Replacing all relevant amendments, including 484-487, 489, 492, 493, 653, 706-713, 716-719 (see also 29/6 template VL)

Article 4(4), first subparagraph

"That data-filing system shall record *all information relating to firearms which is needed in order to trace and identify those firearms. That information shall include* each firearm's type, make, model, calibre and serial number, *and any conversions or modifications leading to a change in categorisation, to a firearm, including its certified deactivation or destruction and the date thereof*, as well as the names and addresses of the supplier and ~~the~~ *of each* person acquiring or possessing the firearm, *including the dates of acquisition and, where applicable, the end of possession or transfer to another person unless such transfer concerns a firearm which has been registered as deactivated. The current records relating to each firearm and the person possessing it shall be accessible to all authorised authorities. All records relating to the firearm shall be maintained in an electronically retrievable format for an indefinite period.*"

Accompanying recital

Replacing all relevant amendments, including 20, 242-6

Firearms may be used for far more than 20 years. In order to ensure their traceability, records of them as well as of the essential components thereof should be kept for an indeterminate period of time until their destruction or deactivation is certified. Access to these records and all related personal data shall be restricted to competent authorities. The requirement to continue registering firearms and essential components after deactivation should only apply to those which are already registered and to the person possessing them at the time of deactivation. That requirement should not apply to subsequent transfers of deactivated firearms or essential components or to firearms and essential components which, pursuant to national rules applicable prior to the entry into force of this Directive, have been removed from the register after deactivation.

Article 4(4), second subparagraph

"Throughout their period of activity, dealers and brokers shall be required to maintain a register in which all firearms subject to this Directive and which are received or disposed of by them shall be recorded, together with such particulars as enable the firearm to be identified and traced, in particular the type, make, model, calibre and serial number thereof and the names and addresses of the persons supplying and acquiring it.

Upon the cessation of his activities, the dealer or broker shall deliver the register to the national authority responsible for the filing system provided for in the first subparagraph.

Each Member State shall ensure that dealers and brokers established in their territory ***report transactions involving firearms and essential components to the national competent authority within a period of time which shall not exceed 10 days.***"

Article 13(4)

Member States shall **ensure the efficient** exchange **of** information **by electronic means, in accordance with applicable data protection rules, either directly or through single points of contact**, on the authorisations granted for the **transfer** of firearms to another Member State as well as information with regard to refusals to grant authorisations as **provided for** in Article 7 **on grounds of security or related to the reliability of the person concerned**.

Each Member State shall, upon request by another Member State, exchange information relevant to an assessment of the criminal history, if any, of persons who apply for or who have been granted exceptions pursuant to Article 6 or authorisations pursuant to Article 7. That information shall refer to any corresponding judicial or relevant public authority decision, where applicable.

Accompanying recital

Replacing all relevant amendments, including 289-294

In order to improve the functioning of the information exchange between Member States, various existing mechanisms or single points of contact or new exchange mechanisms could be used, depending on the nature of the information to be exchanged. The Commission should assess the necessary elements of a system to support such exchange of information contained in the computerised data-filing systems in place in Member States. The Commission's assessment may be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

Article 13(5)

The Commission shall be empowered to adopt delegated acts in accordance with Article 13a concerning the modalities of exchange of information on authorisations granted **or refused for the transfer of firearms to another Member State. The Commission shall adopt such delegated acts by ... [insert date]...**"

AGREED IN PRINCIPLE (Rapporteur, EPP, S&D, ALDE, GUE/NGL, Greens/EFA, EFDD).

8.

Review and Entry into Force

Replacing all relevant amendments, including 729-733, 736, 843-846 (see also 29/6 template VL)

Article 17

The Commission shall every five years **submit** a report to the European Parliament and the Council on the application of this Directive, **including a fitness check of the provisions**, accompanied, if appropriate, by proposals in particular as regards the categories of firearms of Annex I and the issues related to **the implementation of the system for the European firearms pass, marking and to** new technologies such as **impacts of** 3D printing. The first report shall be submitted **by** [two years after the **date of** entry into force of this **Amending Directive**]."

The Commission shall, by [date], assess the necessary elements of a system for the exchange of information contained in the computerised data-filing systems referred to in Article 4(4) between the Member States, **including the feasibility of enabling each Member State to access such a system**. The Commission's assessment shall be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information."

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [**12** months after publication to the OJ]. They shall forthwith communicate to the Commission the text of those provisions.

AGREED IN PRINCIPLE (Rapporteur, EPP, S&D, ALDE, GUE/NGL, Greens/EFA, EFDD).

9.

National defence

Replacing all relevant amendments, including 402-416 (see also 29/6 template VL)

Article 2(2)

This Directive shall not apply to the acquisition or possession of weapons and ammunition, in accordance with national law, by the ***national defence*** forces, the police, ***and other*** public authorities. ***The national defence forces encompasses all units, reservists and voluntary defence forces within the framework of the national defence systems under the command of the national defence forces, including the military and systems of internal public security.*** Nor shall it apply to commercial transfers of weapons and ammunition of war.

AGREED ~~IN PRINCIPLE~~ (Rapporteur, EPP, S&D, ALDE, GUE/NGL, Greens/EFA, EFDD).

Accompanying recital

Replacing all relevant amendments, including 6, 120, 130

The national defence forces of a Member State as defined under national law may, in addition to the military, include units such as a home guard as well as reservists and other persons taking part in national defence systems under the command of the national defence forces.

10.

MS exception possibility for cat A

Replacing all relevant amendments, including 581-585, 587-590, 592, 593, 598 (see also 29/6 template VL)

Article 6

Without prejudice to Article 2(2), Member States shall take all appropriate steps to prohibit the acquisition and the possession of the firearms and ammunition classified in category A and to destroy ***or deactivate*** those firearms and ammunition held in violation of this provision and seized. ***In exceptional and duly reasoned cases, the competent authorities may grant authorisation for such firearms and ammunition provided that such authorisation is not contrary to public security, public order or national defence.***

Accompanying recitals

Replacing all relevant amendments, including 12, 114, 127, 135, 137, 143, 198

(x) Certain persons have a legitimate interest in accessing firearms classified in category A, provided that exemptions are granted on an exceptional basis. These could include, inter alia, armourers, proof houses, manufacturers, certified experts, forensic scientists and, in certain cases, those involved in film production, ~~as well as individuals needing firearms for self-defence purposes.~~

(y) Member States should also be allowed to authorise individuals to acquire and possess otherwise prohibited firearms and essential components thereof for national defence, such as in the context of voluntary military training provided under Member State law.

11.

Museums, collectors

Replacing all relevant amendments, including 335-344, 417 (see also 29/6 template VL)

AGREED ~~IN PRINCIPLE~~ (Rapporteur, EPP, S&D, ALDE, Greens/EFA) to reject AMs excluding collectors and bodies concerned with the cultural and historical aspects of weapons from scope.

Covering amendments 599-608, 611-624

Definitions:

1j. For the purposes of this Directive, "museum" means a permanent institution in the service of society and its development, open to the public, for historical, cultural, scientific, technical, educational, aesthetic or heritage purposes, and recognised as such by a Member State;

1k. For the purposes of this Directive, "collector" means any legal or natural person dedicated to the gathering and conservation of firearms or ammunition for historical, cultural, scientific, technical, educational, aesthetic or heritage purposes, and recognised as such by a Member State.

Article 6, second subparagraph

Member States may ***choose to grant authorisations to museums and collectors for firearms and ammunition classified in category A provided that they demonstrate to the relevant national authorities that measures are in place to address any risks to public security or public order and that the firearm or firearms concerned are stored with a level of security proportionate to the risks associated with unauthorised access to such firearms.***

Member States shall establish a register of all such authorised persons. Such authorised persons shall be required to maintain a register of all firearms in their possession classified in Category A, which shall be accessible to the relevant national authorities. Member States shall establish an appropriate monitoring system with respect to such authorised persons, taking all relevant factors into account.

Accompanying recital

Replacing all relevant amendments, including 13, 144-159

It should be possible for Member States to choose to authorise the acquisition and the possession of prohibited firearms when necessary for historical, cultural, scientific, technical, educational, aesthetic or heritage purposes and recognised as such by the Member State in whose territory they are established to keep in their possession firearms classified in category A, provided that those persons demonstrate, prior to being granted authorisation, that they have taken the necessary measures to address any risks to public

security or safety, including by way of secure storage. Any such authorisation should take into account and reflect the specific situation, including the nature of the collection and its purposes.

12.

Annex I - Part II - Categories A and B and transitional measures

Replacing all relevant amendments, including 643, 651, 700, 701, 741-802 (see also 29/6 template VL)

12.A

Article 10ba (new)

1. **Member States shall take measures to ensure that automatic firearms ~~that have been~~ converted into semi-automatic firearms from the date of entry into force of this Directive cannot be reconverted into automatic firearms.**
2. **The Commission shall by [31 December 2107] adopt delegated acts in accordance with Article 13a establishing technical specifications to ensure that semi-automatic firearms which have been converted from originally automatic firearms cannot be reconverted into automatic firearms.**

Annex I - Part II - Category A, point 6a (new)

Automatic firearms which have been converted into semi-automatic firearms unless the Commission has adopted technical specifications under Article 10ba, in which case this will not apply to firearms that have been converted in accordance with the set requirements~~and which do not satisfy the requirements on conversion set out in Article 10ba;~~

Annex I - Part II - Category A, point 6c (new)

Semi-automatic firearms which **have been converted into** automatic **firearms**;

Annex I - Part II - Category A, point 7

Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms;

Annex I - Part II - Category B, point 7

Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms;

Annex I - Part II - Category B, point 7a (new)

Semi-automatic firearms with rimfire percussion in calibre .22 or smaller;

AGREED IN PRINCIPLE (Rapporteur, EPP, S&D, **[ALDE]**, Greens/EFA).

12.B

Cat A.7a new subject to further discussion including:

Annex I - Part II - Category A, point 7a (new)

Semi-automatic firearms with centrefire percussion, and loading devices, with one or more of the following characteristics:

(a) long firearms (i.e. firearms that are originally intended to be fired from the shoulder) that can be reduced to a length of less than 60cm without losing functionality by means of a folding or telescoping stock ~~or by a stock that can be removed without using tools;~~

b) firearms which allow the firing of more than 21 rounds without reloading, if a loading device with a capacity exceeding 20 rounds is part of the firearm or is inserted into it; and

c) loading devices which can hold more than 20 rounds;

There will be split votes on points a), b) and c).

12.C

Transitional measures (subject to final placing in the body of the Directive):

x. Member States may decide to confirm authorisations for firearms classified in category A.6 or A.7 and legally acquired and registered before [date of entry into force of amending Directive], and to renew them for the legal owner at that date, subject to the other conditions of this Directive, and may also allow such firearms to be ~~inherited or~~ acquired by persons authorised by Member States according to this Directive ~~under Article 6.~~

y. Member States may authorise target shooters to acquire and possess semi-automatic firearms classified in categories A.6 or A.7, subject to the following conditions:

a) the target shooter participates in shooting competitions organised by an official shooting sport organisation recognised by a Member State or by an internationally established and officially recognised shooting sport federation; and

b) the target shooter is a member of a recognised shooting club, regularly practises target shooting and has been doing so for at least twelve months.

Target shooters authorised to acquire and possess firearms in categories A.6 or A.7 shall be entitled to have such firearms listed in a European firearms pass pursuant to Article 12(2).

13.

Deactivated firearms

Replacing all relevant amendments, including 370, 373-377, 723-727, 819-824, 838, 839 (see also 29/6 template VL)

AGREED (Rapporteur, EPP, S&D, ALDE, Greens/EFA).

Article 1(1i)

For the purposes of this Directive, "deactivated firearms" shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential **components** of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way **in accordance with Article 10b.**"

Where weapons are of recognised rarity or historical value, Member States may chose that, for the purposes of deactivation, firearms demonstrating such value may be deactivated by the removal of one or more essential components of the firearm so as to render it unusable. Where this is applied, the components removed shall be handed over to the authorities of the Member State for safekeeping.

Article 10b

1. Member States shall ensure that the deactivation of firearms is carried out in accordance with the technical specifications set out in Annex III.

This shall not apply to firearms deactivated prior to 8 April 2016, unless those firearms are transferred to another Member State or placed on the market.

Deactivation of firearms shall be carried out by public or private entities, or by individuals, authorised to do so in accordance with national legislation.

Member States shall designate a competent authority (the "verifying entity") to verify that the deactivation of the firearm concerned has been carried out in accordance with the technical specifications set out in Annex III.

Where the deactivation of the firearm has been carried out in accordance with the technical specifications set out in Annex III, the verifying entity shall:

(a) affix a common unique marking to all components modified for the deactivation of the firearm; and

(b) issue a deactivation certificate to the owner of the firearm.

Where the firearm is recorded in the computerised data-filing system referred to in Article 4(4), its deactivation shall be entered in the record relating to it.

Member States may introduce additional measures for the deactivation of firearms in their territory going beyond the technical specifications set out in Annex III.

2. The Commission is empowered to adopt delegated acts in accordance with Article 13a to update Annex III, taking into account, where necessary, any additional measures introduced by Member States in accordance with the sixth subparagraph of paragraph 1.

3. The Commission shall adopt implementing acts establishing templates for the common unique marking and the model certificate for deactivated firearms. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).

4. By 31 December 2016 the Commission, after consulting Member States and relevant stakeholders, shall identify which national deactivation standards and techniques applied by Member States before 8 April 2016 ensured that firearms were rendered permanently unfit for use and inoperable, and shall provide for recognition of certified deactivations performed in accordance with such deactivation standards and techniques.

Annex I - Part III, point (a)

are deactivated firearms, provided that deactivation has been carried out:

- (i) in accordance with the technical specifications set out in Annex III; or**
- (ii) before [the date of application of Amending Directive] in accordance with the technical specifications set out in Annex I to Implementing Regulation (EU) 2015/2403; or**
- (iii) prior to 8 April 2016:**
 - in accordance with any national deactivation standards and techniques applied by Member States and established by the Commission pursuant to Article 10b(4); or**
 - in accordance with the national deactivation standards and techniques applied by Member States, provided that the deactivated firearm is not transferred to another Member State or placed on the market; or**
 - in accordance with a cut-through-slot procedure, meaning that a slot has been cut through the chamber wall of a minimum of 4mm width and into the barrel along at least 50% of the barrel length and the barrel has been securely pinned or welded to the receiver/frame, and conversion to expel a shot, bullet or projectile by the action of a combustible propellant is not possible;"**

Annex IIIa (new)

Technical specifications for the deactivation of firearms

The deactivation operations to be performed in order to render firearms irreversibly inoperable are defined on the basis of three tables:

Table I lists the different types of firearms,

Table II describes the operations to be performed to render each essential component of firearms irreversibly inoperable,

Table III sets out which deactivation operations are to be performed for the various types of firearm.

TABLE I: List of types of firearms	
TYPES OF FIREARMS	
1	Pistols (single shot, semi-automatic)

2	<i>Revolvers (including cylinder-loading revolvers)</i>
3	<i>Single-shot long firearms (not break action)</i>
4	<i>Break action firearms (e.g. smoothbore, rifled, combination, falling/rolling block action, short and long firearms)</i>
5	<i>Repeating long firearms (smoothbore, rifled)</i>
6	<i>Semi-automatic long firearms (smoothbore, rifled)</i>
7	<i>(Full) automatic firearms, e.g. selected assault rifles, submachine guns, full automatic pistols (not crew-served machine guns)</i>
8	<i>Muzzle-loading firearms</i>

TABLE II: Specific operations per component

COMPONENT	PROCESS
1. BARREL	<i>1.1. If the barrel is fixed to the frame (1), pin the barrel to action with a hardened steel pin (diameter > 50 % chamber, minimum 4,5 mm) through the chamber and frame. The pin must be welded (2).</i>
	<i>1.2. If the barrel is free (not fixed), cut a longitudinal slot through the full length of the chamber wall (width > ½ calibre and maximum 8 mm) and securely weld a plug or a rod into the barrel from the start of the chamber (L ≥ 2/3rd barrel length). For smoothbore barrels, only the chamber requires permanently blocking with a plug 2/3rd the length of the chamber</i>
	<i>1.3. Within the first third of the barrel from the chamber, either drill holes (must have a minimum of 2/3rds of the diameter of the bore for smoothbore arms and the whole diameter of the bore for all other arms; one behind the other, 3 for short arms, 6 for long arms) or cut, after the chamber, a V slot (angle 60 ± 5°) opening locally the barrel or cut, after the chamber, a longitudinal slot (width 8-10 mm ± 0,5 mm, length ≥ 52 mm) at the same position as the holes, or cut a longitudinal slot (width 4-6 mm ± 0,5 mm) from the chamber to the muzzle, except 5 mm at the muzzle.</i>
	<i>1.4. For barrels with a feed ramp, remove the feed ramp.</i>
	<i>1.5. Prevent removal of the barrel from the frame by use of hardened steel pin or by welding.</i>
	<i>1.6. Fix a rod in the barrel forcing cone (L>2/3rd barrel length). Weld into forcing cone. Pin the barrel (through forcing cone) to the frame and weld pin. Drill a hole 2/3rd bore diameter within the first third of the barrel from the forcing cone and weld the rod to the barrel through the drilled hole</i>

2. BREECH BLOCK, BOLT HEAD	<i>2.1. Remove or shorten firing pin.</i>
	<i>2.2. Machine the bolt face with an angle of at least 45 degrees and on a surface larger than 50 % of the breech face.</i>
	<i>2.3. Weld the firing pin hole.</i>
3. CYLINDER	<i>3.1. Remove all internal walls from cylinder for a minimum of 2/3rd of its length by machining a circular ring 50% case diameter.</i>
	<i>3.2. Where possible, weld to prevent the removal of the cylinder from the frame or use appropriate measures such as pinning that render the removal impossible.</i>
4. SLIDE	<i>4.1. Machine or remove more than 50 % of the breech face with an angle between 45 and 90 degrees.</i>
	<i>4.2. Remove or shorten the firing pin.</i>
	<i>4.3. Machine and weld the firing pin hole.</i>
	<i>4.4. Machine away at least 2/3rd of the locking lugs in slide</i>
	<i>4.5. Where applicable, machine the inside of the upper forward edge of the ejection port in the slide to an angle of 45 degrees.</i>
5. FRAME (PISTOLS)	<i>5.1. Remove feed ramp.</i>
	<i>5.2. Machine away at least 2/3 of the slide rails on both sides of the frame.</i>
	<i>5.3. Weld the slide stop or use appropriate alternative measures to prevent disassembly of the pistol if welding is not possible or where the slide stop plays no part in the disassembly process.</i>
	<i>5.4. Prevent disassembly of polymer frame pistols by welding, bonding or use appropriate measures if welding or bonding is not possible.</i>
6. AUTOMATIC SYSTEM	<i>6.1. Destroy the piston and the gas system by cutting or welding.</i>
	<i>6.2. Remove the breech block, replace it by a steel piece and weld it or reduce the breech block by 50 % minimum, weld it and cut off locking lugs from the bolt head.</i>
	<i>6.3. Weld the trigger mechanism together and, if possible, with the frame. If welding within the frame is not possible: remove the firing mechanism and fill the empty space appropriately (e.g. by gluing in a fitting piece of filling with epoxy resin).</i>
7. ACTION	<i>7.1. Machine a cone of 60 degrees minimum (apex angle), in order to obtain a base diameter equal to 1 cm at least or the diameter of the breech face.</i>

	7.2. Remove the firing pin, enlarge the firing pin hole at a minimum diameter of 5 mm and weld the firing pin hole.
8. MAGAZINE (where applicable)	8.1. Weld the magazine with spots of weld or use appropriate measures, depending on the type of arm and material to prevent removing the magazine.
	8.2. If the magazine is missing, place spots of weld in the magazine location or weld a hard steel pin (minimum diameter 4mm) across the magazine well to prevent insertion of a standard magazine.
	8.3. Drive hardened steel pin through magazine, chamber and frame. Secure by weld.
9. MUZZLE LOADING	9.1. Remove or weld the nipple(s), weld the hole(s).
10. SOUND MODERATOR	10.1. Prevent removal of the sound moderator from the barrel by use of hardened steel pin or weld if the sound moderator is part of the weapon.
	10.2. Remove all the inner parts and their attachment points of the moderator so that only a tube remains. Drill two holes in the casing (5mm) in diameter near the point the sound moderator attaches to the barrel.
Hardness of inserts	All pins should be hardened steel. Rods and plugs may be low or medium carbon steel to facilitate reliable welding and fusion of materials.

TABLE III: Specific operations per essential components of each type of firearm								
TYPE	1	2	3	4	5	6	7	8
PROCES S	Pistols (excepted automatic)	Revolvers	Single-shot long firearms (not break action)	Break action firearms (smoothbore, rifled, combination)	Repeating long firearms (smoothbore, rifled)	Semi-automatic long firearms (smoothbore, rifled)	Automatic firearms: assault rifles, (sub) machine guns	Muzzle loading firearms
1.1			X		X	X	X	
1.2 and 1.3	X		X	X	X	X	X	X
1.4	X					X	X	
1.5								
1.6		X						
2.1			X		X	X	X	

2.2			X		X	X	X	
2.3			X		X	X	X	
3.1		X						
3.2		X						
4.1	X						X (for automatic pistols)	
4.2	X						X (for automatic pistols)	
4.3	X						X (for automatic pistols)	
4.4	X						X (for automatic pistols)	
4.5	X					X	X (for automatic pistols)	
5.1	X						X (for automatic pistols)	
5.2	X						X (for automatic pistols)	
5.3	X						X (for automatic pistols)	
5.4	X (polymer frame)						X (for automatic pistols)	
6.1						X	X	
6.2						X	X	
6.3							X	
7.1				X				
7.2		X		X				

8.1 or 8.2	X				X	X	X	
8.3					X (magazine tube)	X (magazine tube)		
9.1		X						X
10.1	X		X		X	X	X	
10.2	X		X	X	X	X	X	

⁽¹⁾ Barrel fixed to the frame by screwing or clamping or by another process.

⁽²⁾ Welding is a fabrication or sculptural process that joins materials, usually metals or thermoplastics, by causing fusion.